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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,847	11/16/2005	Maria del Carmen Rivera	57905US004	9364

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EXAMINER

GUIDOTTI, LAURA COLE

ART UNIT	PAPER NUMBER
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3727

NOTIFICATION DATE	DELIVERY MODE
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11/17/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/526,847	Applicant(s) RIVERA ET AL.	
	Examiner Laura C. Guidotti	Art Unit 3727	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-17, 19, 20, 22, 25-27 and 31-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-17, 19, 20, 22, 25-27 and 31-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 July 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05062008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 25-27 are objected to because of the following informalities:

In claim 25, is the unit gm/m^2 meant to be mg/m^2 ? The Examiner believes that an appropriate unit for basis weight is mg/m^2 .

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 14-17, 19-20, 22, and 25-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landler et al., US 4,418,106 in view of Norvell et al., US 2001/0008672.

Landler et al. discloses the claimed invention including a flocked substrate or wipe (10) laminated to a layer of liquid-absorbent foam (234; Column 11 Lines 17-21, polyurethane) to provide the cleaning article with a flocked cleaning surface on one side and a liquid absorbent foam cleaning surface on an opposite side (Figures 5, 7; when backing 34 of Figure 5 is absorbent foam 234), wherein the flock comprises fibres (38) that are arranged substantially perpendicular to a surface of the substrate to which they are secured (Figure 5) and have a maximum length of 2.0 mm (Column 9 Line 38), the fibres being substantially free of abrasive particles (the disclosure is silent regarding abrasive particles) (claims 14, 20). Regarding claim 15, the layer of foam comprises a pad capable of being used by hand (a user could inherently use it by hand depending

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on sizing). Regarding claim 16, the foam is polyurethane foam (Column 11 Lines 17-21). Regarding claim 17, the foam has a thickness in the range of 0.5 to 5.0 cm (Column 10 Lines 34-35). Regarding claim 19, the substrate is a nonwoven web material (as it is a polyester spunbonded web, Column 9 Lines 30-31). Regarding claim 22, the flock is applied only on one surface of the wipe (Figure 5). Regarding claim 25, the wipe (10) comprises a material having a basis weight of 60 g/m² (Column 9 Lines 30-31). Regarding claim 26, the flock comprises fibres having a length of 0.75mm (Column 9 Line 38). Landler et al. does not disclose that the flocked cleaning surface includes discontinuous areas of flock such that areas on the flocked cleaning surface are free of adhesive from laminating and are free of flock.

Novell et al. is relied upon for its teaching that it is known for a flocked article to exhibit a pattern, of which the flocking can occur where adhesive is applied in a discontinuous pattern (paragraphs 44-46, 52).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify the flocked cleaning surface of Landler et al. to include discontinuous areas of flock such that areas on the flocked cleaning surface are free of adhesive from laminating and are free from flock, as Novell et al. teach, in order to provide the cleaning surface with a desired cleaning aesthetic.

3. Claims 14-17, 19-20, 22, 25-27, and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bish et al., US 4,421,809 in view of Nakata, US 5,346,757 and in further view of Norvell et al., US 2001/0008672.

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Bish et al. disclose the claimed invention including a flocked substrate or wipe (3) laminated to a layer of liquid absorbent foam (5, polyurethane) to provide the cleaning article with a flocked cleaning surface on one side and a liquid-absorbent foam cleaning surface on an opposite side (see the Figure), wherein the flock comprises fibres (1) that are arranged substantially perpendicular to a surface of the substrate to which they are secured (see the Figure) and have a maximum length of 2.0 mm (Column 2 Lines 48-49), the fibres being substantially free of abrasive particles (the disclosure is silent regarding abrasive particles) (claims 14, 20). Regarding claim 15, the layer of foam comprises a pad capable of being used by hand (as a user is capable of handling a floor mat by hand). Regarding claim 16, the foam is polyurethane foam (Column 6 Lines 2-3). Regarding claim 17, the foam has a thickness in the range of 0.5 to 5.0 cm (Column 7 Lines 32-34). Regarding claim 19, the substrate is a woven web or nonwoven web material (Column 4 Lines 51-52). Regarding claim 22, the flock is applied only on one surface of the wipe (see the Figure). Regarding claim 25, the wipe comprises a material having a basis weight in the range of 15 to 300 gm/m² (Column 5 Lines 18-24). Regarding claim 26, the flock fibres have a length in the range of from 0.4 to 0.8 mm (Column 2 Lines 48-49). Regarding claim 27, the flock comprises fibres having a titre in the range from 15 to 80 dtex (Column 2 Lines 51-52, and 20 denier converts to about 22 dtex). Regarding claim 31, the flock comprises fibres of a polyamide material (nylon, Column 2 Lines 40-43). Regarding claim 32, the flock is secured to the substrate by an adhesive layer (2). Regarding claim 33, the flock is secured to the substrate by an acrylic adhesive or PVC resin (Column 3 Lines 57-60). Bish et al. does not disclose that

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the flocked cleaning surface includes discontinuous areas of flock such that areas on the flocked cleaning surface are free of adhesive from laminating and are free of flock.

Nakata is relied upon for its teaching that it is desired to provide a textural pattern in the surface of the mat for both decoration and to provide an anti-slip surface (Column 1 Lines 38-58, Column 2 Lines 6-12).

Novell et al. is relied upon for its teaching that it is known for a flocked article to exhibit a pattern, of which the flocking can occur where adhesive is applied in a discontinuous pattern (paragraphs 44-46, 52).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify the cleaning surface of Bish et al. to exhibit a pattern of areas that are discontinuous in order to provide a pattern for decorative and anti-slip means, as Nakata teaches, and further it would have been obvious for one of ordinary skill in the art to modify the patterned flocked cleaning surface of Bish et al. and Nakata to have discontinuous areas of flock such that areas on the flocked cleaning surface are free of adhesive from laminating and are free from flock, as Novell et al. teach, in order to provide the cleaning surface with a desired cleaning pattern.

4. Claims 14-17, 19-20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunkley, US 6,115,873 in view of Norvell et al., US 2001/0008672.

Dunkley discloses the claimed invention including a flocked substrate or wipe (16) laminated to a layer of liquid absorbent foam (14, polyurethane) to provide the cleaning article with a flocked cleaning surface on one side and a liquid absorbent foam cleaning surface on an opposite side (Figure 2), wherein the flock comprises fibres (15)

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that are arranged substantially perpendicular to a surface of the substrate to which they are secured (Figure 2) and have a maximum length of 2.0 mm (Column 3 Lines 62-66), the fibres being substantially free of abrasive particles (the disclosure is silent regarding abrasive particles) (claims 14, 20). Regarding claim 15, the layer of foam comprises a pad capable of being used by hand (Column 4 Lines 21-25). Regarding claim 16, the foam is polyurethane foam (Column 3 Line 16). Regarding claim 17, the foam has a thickness in the range of 0.5 to 5.0 cm (Column 3 Lines 47-50). Regarding claim 19, the substrate is a nonwoven web material (as it's an adhesive layer, Column 3 Line 19). Regarding claim 22, the flock is applied only on one surface of the wipe (Figure 2). Dunkley does not disclose that the flocked cleaning surface includes discontinuous areas of flock such that areas on the flocked cleaning surface are free of adhesive from laminating and are free of flock.

Novell et al. is relied upon for its teaching that it is known for a flocked article to exhibit a pattern, of which the flocking can occur where adhesive is applied in a discontinuous pattern (paragraphs 44-46, 52).

It would have been obvious for one of ordinary skill in the art at the time of the invention to modify the flocked cleaning surface of Dunkley to include discontinuous areas of flock such that areas on the flocked cleaning surface are free of adhesive from laminating and are free from flock, as Novell et al. teach, in order to provide the cleaning surface with a desired cleaning aesthetic.

Response to Arguments

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5. Applicant's arguments with respect to claims 14-17, 19-20, 22, 25-27, and 31-33 have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's arguments filed 11 July 2008 have been fully considered but they are not persuasive.

In response to the argument that Bish et al. is not directed at a cleaning article but instead a floor mat is not persuasive. Floor mats are used to clean the soles of boots or shoes and are well known as being used for cleaning. Additionally, floor mats are capable of being handled by hands for cleaning as well.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C. Guidotti whose telephone number is (571) 272-1272. The examiner can normally be reached on Monday-Thursday, 7:30am - 5pm, alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Monica Carter can be reached on (571) 272-4475. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Laura C Guidotti/
Primary Examiner, Art Unit 3727

lcg

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